

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	CV 18-3841 FMO	Date	May 29, 2018
Title	In re Brenda C. Han		

Present: The Honorable Fernando M. Olguin, United States District Judge

Vanessa Figueroa None Present
Deputy Clerk Court Reporter / Recorder

Attorneys Present for Plaintiffs: Attorneys Present for Defendants:
None Present None Present

Proceedings: **(In Chambers) Order to Show Cause re: Dismissal of Action**

On May 8, 2018, appellant Brenda C. Han ("appellant") filed a Notice of Appeal (Dkt. 1) challenging the Bankruptcy Court's Order of April 20, 2018, authorizing the sale of real property pursuant to 11 U.S.C. § 363. (See Docket for Bankruptcy Case No. 17-16419 ("BK Dkt.") 97, Bankruptcy Court's Order of April 20, 2018). However, it appears that this appeal may be moot appellant did not obtain a stay of the Bankruptcy Court's Order of April 20, 2018, pursuant to 11 U.S.C. § 363(m). See In re Berkeley Delaware Court, LLC, 834 F.3d 1036, 1041 (9th Cir. 2016) ("Under § 363(m), therefore, the sale may not be modified or set aside on appeal unless it was stayed pending appeal."). Accordingly, IT IS ORDERED that:

1. No later than **June 5, 2018**, appellant shall file a response and show cause why this case should not be dismissed on mootness grounds. Appellant is advised that failure to file a timely response will result in dismissal of this appeal for failure to comply with a court order. See Fed. R. Civ. P. 4(m); Fed. R. Civ. P. 41(b); Link v. Wabash R.R. Co., 370 U.S. 626, 629-30, 82 S.Ct. 1386, 1388 (1962).
2. Appellee Wesley H. Avery shall also file a response addressing the mootness issue.

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